HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

W.P.No.26648 of 2001

Dated 4th day of July, 2007

Between:

K.Rajavardhan Reddy ..
Petitioner

And

The Joint Collector,
Mahabubnagar District
and four others ..
Respondents

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O R D E R:

This writ petition is filed seeking a mandamus to declare the Proceedings dated 3.12.2001 issued by the 1st respondent as arbitrary and illegal.

The petitioner asserts that he studied up to S.S.C. His father was the dealer of Fair Price Shop No.2 at Kalavarala village. When his father passed away, the 2nd respondent-Revenue Divisional Officer, by his proceedings dated 14.12.2000, initially appointed the petitioner as a Fair Price Shop Dealer for Shop No.2 on temporary basis, and later, after considering all the objections that were received from the villagers, appointed the petitioner on permanent basis by his proceedings dated 15.10.2001. Now, the grievance nurtured by the petitioner is that the 1st respondent, on an appeal preferred by the 4th and 5th respondents, issued the impugned order dated 3.12.2001 setting aside his appointment order and remanded the matter to the 2nd respondent to consider the cases of the 4th and 5th respondents for appointment as dealer for Fair Price Shop No.2 at Kalvarala village.

In spite of the fact that notices are served on the respondents, they have not chosen to file counter affidavit.

According to the learned counsel for the petitioner, the petitioner continued as a Dealer right from the death of his father either on temporary or on permanent basis by virtue of the orders passed by the 2nd respondent and the interim orders passed by this Court on 3.1.2002 and there is no complaint whatsoever about the discharge of his duties. As all these things are not controverted, this Court deems it appropriate to direct the respondents to continue the petitioner as

Dealer for Fair Price Shop No.2 of Kalvarala village on permanent basis.

In the result, the writ petition is allowed. No costs.

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04.07.2007

bcj